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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 BRIAN T. ROGERS,

11 Petitioner,

No. CIV S-01-0975 FCD GGH P

12 vs.

13 CLAUDE FINN,

14 Respondent.

ORDER

15 _____/
16 On January 10, 2006, the court ordered respondent to file a motion addressing the
17 adequacy of California's timeliness rule. On February 2, 2006, respondent filed a request that
18 this action be resolved on substantive grounds.

19 Good cause appearing, IT IS HEREBY ORDERED that this matter is submitted
20 for decision on substantive grounds.

21 DATED: 3/2/06

22
23 /s/ Gregory G. Hollows

24 _____
GREGORY G. HOLLOWES
UNITED STATES MAGISTRATE JUDGE

25 ggh:kj
26 ro975.sub